

House File 499 - Introduced

HOUSE FILE _____
BY WINDSCHITL

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the period of validity of a permit to carry
2 weapons and providing for the combined issuance of and a fee
3 for a permit to carry weapons and a driver's license.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1741YH 83
6 dea/rj/5

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1 1 Section 1. NEW SECTION. 321.183A APPLICATION FOR
1 2 DRIVER'S LICENSE == PERMIT TO CARRY A WEAPON.
1 3 An applicant for a driver's license may submit to the
1 4 department or the county treasurer an application for renewal
1 5 of a permit to carry weapons, to be issued as provided under
1 6 chapter 724. The application shall be accompanied by the fees
1 7 required under section 724.11. The department or county
1 8 treasurer shall forward the application and fees, other than
1 9 the fee allocated to the department under section 724.11,
1 10 subsection 3, to the sheriff of the applicant's county of
1 11 residence. If the application for renewal is approved, the
1 12 sheriff shall notify the department of the approval and
1 13 provide the permit number and type of permit to be displayed
1 14 on the person's driver's license.
1 15 Sec. 2. Section 321.189, Code 2009, is amended by adding
1 16 the following new subsection:
1 17 NEW SUBSECTION. 4A. WEAPONS PERMIT. Upon renewal of a
1 18 permit to carry weapons as provided in section 321.183A, the
1 19 department shall indicate the permit number and type of permit
1 20 to carry weapons on the person's driver's license.
1 21 Sec. 3. Section 724.6, subsection 1, Code 2009, is amended
1 22 to read as follows:
1 23 1. A person may be issued a permit to carry weapons when
1 24 the person's employment in a private investigation business or
1 25 private security business licensed under chapter 80A, or a
1 26 person's employment as a peace officer, correctional officer,
1 27 security guard, bank messenger or other person transporting
1 28 property of a value requiring security, or in police work,
1 29 reasonably justifies that person going armed. The permit
1 30 shall be on a form prescribed and published by the
1 31 commissioner of public safety, shall identify the holder, and
1 32 shall state the nature of the employment requiring the holder
1 33 to go armed. A permit so issued, other than to a peace
1 34 officer, shall authorize the person to whom it is issued to go
1 35 armed anywhere in the state, only while engaged in the
2 1 employment, and while going to and from the place of the
2 2 employment. A permit issued to a certified peace officer
2 3 shall authorize that peace officer to go armed anywhere in the
2 4 state at all times. Permits shall expire twelve months after
2 5 the date when issued, except that permits issued under section
2 6 724.11, subsection 2, shall expire as provided in that
2 7 subsection, and permits issued to peace officers and
2 8 correctional officers are valid through the officer's period
2 9 of employment unless otherwise canceled. When the employment
2 10 is terminated, the holder of the permit shall surrender it to
2 11 the issuing officer for cancellation. If the permit
2 12 information is noted on the person's driver's license, the
2 13 person shall surrender the driver's license in exchange for a
2 14 duplicate license under section 321.195.
2 15 Sec. 4. Section 724.7, Code 2009, is amended to read as
2 16 follows:
2 17 724.7 NONPROFESSIONAL PERMIT TO CARRY WEAPONS.
2 18 Any person who can reasonably justify going armed may be
2 19 issued a nonprofessional permit to carry weapons. Such

2 20 permits shall be on a form prescribed and published by the
2 21 commissioner of public safety, which shall be readily
2 22 distinguishable from the professional permit, and shall
2 23 identify the holder thereof, and state the reason for the
2 24 issuance of the permit, and the limits of the authority
2 25 granted by such permit. ~~All permits so issued~~ Permits issued
2 26 under section 724.11, subsection 2, shall expire as provided
2 27 in that subsection. All other permits shall be for a definite
2 28 period as established by the issuing officer, but in no event
2 29 shall exceed a period of twelve months.

2 30 Sec. 5. Section 724.11, Code 2009, is amended to read as
2 31 follows:

2 32 724.11 ISSUANCE OF PERMIT TO CARRY WEAPONS.

2 33 1. Applications for permits to carry weapons shall be made
2 34 to the sheriff of the county in which the applicant resides.
2 35 Applications from persons who are nonresidents of the state,
3 1 or whose need to go armed arises out of employment by the
3 2 state, shall be made to the commissioner of public safety. In
3 3 either case, the issuance of the permit shall be by and at the
3 4 discretion of the sheriff or commissioner, who shall, before
3 5 issuing the permit, determine that the requirements of
3 6 sections 724.6 to 724.10 have been satisfied. However, the
3 7 training program requirements in section 724.9 may be waived
3 8 for renewal permits.

3 9 2. a. At the request of a person issued a permit to carry
3 10 weapons, and subject to the discretion of the issuing
3 11 authority, the permit may be combined with the applicant's
3 12 driver's license for purposes of renewal. A person may submit
3 13 an application for renewal of a permit to the department of
3 14 transportation or a county treasurer at the time of
3 15 application for a driver's license as provided in section
3 16 321.183A. If the sheriff approves the application, the
3 17 sheriff shall forward notice of the renewal to the department
3 18 of transportation for notation on the person's driver's
3 19 license prior to issuance of the license. A permit issued
3 20 under this subsection expires on the earliest of the
3 21 expiration date of the person's driver's license, or five
3 22 years from the permittee's birthday anniversary occurring in
3 23 the year of issuance of the permit, whichever is earlier.

3 24 b. For purposes of this chapter, a valid driver's license
3 25 bearing the permit number and type of permit to carry weapons
3 26 issued under this subsection is a permit to carry weapons.

3 27 c. The commissioner, in consultation with the department
3 28 of transportation, shall adopt rules to provide for the
3 29 issuance of permits under this subsection and for the
3 30 conversion of existing twelve-month permits to permits to be
3 31 renewed at the time of driver's license renewal.

3 32 3. a. The issuing officer shall collect a fee of ten
3 33 dollars for the first year of permit validity, except from a
3 34 duly appointed peace officer or correctional officer, for each
3 35 permit issued. Renewal permits or duplicate permits shall be
4 1 issued for a fee of five dollars per year of permit validity.
4 2 The issuing officer shall notify the commissioner of public
4 3 safety of the issuance of any permit at least monthly and
4 4 forward to the commissioner an amount equal to two dollars per
4 5 year of permit validity for each permit issued and one dollar
4 6 per year of permit validity for each renewal or duplicate
4 7 permit issued.

4 8 b. The commissioner and the department of transportation
4 9 may establish a fee to be charged for the service provided
4 10 under subsection 2, which shall be in addition to the permit
4 11 fees required under this subsection. The fee shall be
4 12 calculated to cover the costs of the department of public
4 13 safety and the department of transportation and shall be
4 14 allocated to the departments accordingly.

4 15 c. ~~All such fees~~ Fees received by the commissioner shall
4 16 be paid to the treasurer of state and deposited in the
4 17 operating account of the department of public safety to offset
4 18 the cost of administering this chapter. Any unspent balance
4 19 as of June 30 of each year shall revert to the general fund as
4 20 provided by section 8.33.

4 21 EXPLANATION

4 22 This bill allows a person to apply for renewal of a permit
4 23 to carry weapons at the same time the person is applying for a
4 24 driver's license or renewal of a driver's license, subject to
4 25 the discretion of the commissioner of public safety or the
4 26 county sheriff in charge of issuing the permit. The bill
4 27 provides that a permit issued in combination with a driver's
4 28 license expires on the same date as the license, or five years
4 29 from the permittee's birthday anniversary occurring in the
4 30 year of issuance. This is the same expiration date that

4 31 applies to most driver's licenses. Currently, permits to
4 32 carry weapons are valid for up to 12 months. The bill allows
4 33 issuance of a one-year permit separate from a driver's license
4 34 upon request of an applicant or in the discretion of the
4 35 commissioner of public safety or the county sheriff issuing
5 1 the permit.
5 2 Under the bill, a person may submit an application for
5 3 renewal of a permit to carry weapons to the department of
5 4 transportation or a county treasurer along with an application
5 5 for a driver's license. The department or county treasurer
5 6 shall forward the permit application, along with required
5 7 fees, to the county sheriff of the permittee's county of
5 8 residence. The sheriff shall notify the department of
5 9 transportation if the renewal is approved and provide the
5 10 permit number and type of permit, which shall be noted on the
5 11 person's driver's license. Currently, the fee for a permit is
5 12 \$10, and the annual renewal fee is \$5. Under the bill, a
5 13 person who renews the person's permit in combination with the
5 14 person's driver's license will be required to pay a renewal
5 15 fee equal to \$5 for each year of permit validity. In
5 16 addition, the bill authorizes the commissioner of public
5 17 safety and the department of transportation to establish a fee
5 18 to cover the costs of issuing permits to carry weapons along
5 19 with driver's licenses.
5 20 The bill requires the commissioner of public safety to
5 21 adopt rules in consultation with the department of
5 22 transportation to implement the provisions in the bill and to
5 23 provide for the conversion of existing 12-month permits to
5 24 permits of up to five years with an expiration date aligned
5 25 with the expiration date of the permittee's driver's license.
5 26 LSB 1741YH 83
5 27 dea/rj/5.1